

REMARKS

Applicants appreciate the thorough examination of the application that is reflected in the Office Action dated November 7, 2003.

To expedite the prosecution of this application, Applicants amend independent claims 1, 16, 28 and 38 to recite that "an IP multicast address and UDP port number are associated with said BCMCS ID." Applicants note that these amendments should not be construed as an acknowledgement that the claims are in any way anticipated by or obvious in view of the cited references.

Due to the amendments to claims 1, 16, and 28, Applicants amend claim 8 so that it now depends from claim 5, amend claim 15 so that it now depends from claim 1, amend claims 22 and 27 so that they now depend from claim 16, and amend claims 34 and 37 so that they now depend from claim 28.

Applicants also amend claims 4-5, 9-10, 18-19, 23, 30-31 and 35 to conform with amended claims 1, 16, and 28.

Claims 1-5, 8-10, 13, 15, 16-19, 22-23, 27, 28-31, 34-35, 37 and 38 are pending in the application. Reexamination and reconsideration of the application are respectfully requested.

Art-based Rejections

The Official Action rejects claims 1-3, 5-7, 14-16, 17, 19-21, 26-28, 29, 31-33, 36 and 37 under 35 U.S.C. 102(a) as being anticipated by the Sato et al. publication (WO 01/80590 A1) (hereinafter "Sato"), and rejects claims 4, 8-13, 18, 22-25, 30, and 34-35 under 35 U.S.C. 103(a) as being unpatentable over Sato further in view of Chang et al. (U.S. Patent Publication 2002/0102967).

Applicants respectfully traverse these rejections for at least the following reasons.

Claims 1, 16, 28 and 38

Claim 1 relates to a method in a wireless communication system that supports a broadcast service. This method comprises:

providing a BCMCS ID to identify the broadcast service, wherein an IP multicast address and UDP port number are associated with said BCMCS ID;

sending the BCMCS ID to a base station;
 configuring a broadcast service parameters message at the base station that includes the BCMCS ID;
 transmitting the broadcast service parameters message to a mobile station; and
 using the BCMCS ID in the broadcast service parameters message at the mobile station to determine availability of the broadcast service in an adjacent sector. (Emphasis added.)

To assist the Examiner in understanding certain aspects of claim 1, Applicants provide the following excerpt from pages 12-13 of the application that discusses one an embodiment of the invention that would be covered by claim 1. Applicants note that the claims should not be construed as being limited to this embodiment. As discussed at paragraphs 1067 and 1068 of the specification:

The BCMCS ID 904 is associated with an IP multicast address 908 and UDP port number 910. An MS 210 may obtain the BCMCS_ID 904, IP multicast address 908, and UDP port number 910 of a broadcast/multicast service via an out-of-band mechanism. The MS 210 obtains the mapping between the BCMCS_ID 904 and the physical channel parameters via IS-2000 Layer-3 signaling.

Advantages of using a BCMCS_ID 904 is to avoid using IP addresses and port numbers or avoid using text-based service names in the IS-2000 Layer-3 signaling to associate a broadcast/multicast service and physical channel parameters. Using addresses and port numbers or using text-based service names can be viewed as a layering violation. **It may also increase signaling overhead because up to 10 bytes may be required to identify a service by its source/destination addresses and port numbers, and a large number of bytes may be required to identify a service by its text-based service name.** (Emphasis added.)

As such, by utilizing a BCMCS_ID avoids the need of using IP addresses and port numbers or using text-based service names to associate a broadcast/multicast service and physical channel parameters. This not only prevents a layering violation, but also decreases signaling overhead since by eliminating the need to identify a service by its source/destination addresses and port numbers, and to identify a service by its text-based service name.

In rejecting claim 7, the Office cites ¶186 of the Sato reference, which states:

In the multicast management table shown in FIG. 25, the radio base station number on first column is information which indicates the radio base stations 110-1 through 110-7. The radio base station numbers 1 through 7 are related with the respective radio base stations 110-1 through 110-7. The program name on second column is information which indicates each multicast data. The IP address (multicast address) particular to a program name is related with each multicast data. In the example of FIG. 25, the radio base station 110-1 distributes three sorts of multicast data, and the radio base station 110-7 distributes two sorts of multicast data.

Applicants respectfully submit that the claim 1 is distinguishable from Sato since Sato fails to teach or suggest, for example, “providing a BCMCS ID to identify the broadcast service, wherein an IP multicast address and UDP port number are associated with said BCMCS ID,” as recited in claim 1. The multicast management table shown in FIG. 25 of the Sato patent, includes only the program name and the IP multicast address. See also ¶186 of Sato, reproduced above, cited by the Office. Nothing in Sato suggests “providing a BCMCS ID to identify the broadcast service, wherein an IP multicast address and UDP port number are associated with said BCMCS ID,” as required by claim 1.

Thus, Applicants respectfully submits that the cited references fail to teach or suggest at least the above recitations of claim 1. Accordingly, Applicants respectfully submits that claim 1 is patentable over the cited references. In addition, Applicants respectfully submits that dependent claims 2-5, 8-10, 13, and 15 are separately patentable at least by virtue of their dependency from independent claim 1, and also because those claims include features that are neither taught nor suggested by the cited references. Applicants further submits that independent claims 16, 28, and 38 are patentable for at least the same reasons, and that dependent claims 16-19, 22-23, 27; and 28-31, 34-35, 37-38 are patentable at least by virtue of their dependency from independent claims 16 and 28, respectively.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: February 6, 2004

By: *Erin P Madill*
Erin P. Madill, Reg. No. 46,893
(858) 658-2598

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4125
Facsimile: (858) 658-2502